UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/681,106	01/09/2001	Guy Friedel	212305	6168

			EXAMINER
23460	7590	08/26/2004	JACOBS, LASHONDA T

LEYDIG VOIT & MAYER, LTD
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601-6780

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/681,106	FRIEDEL ET AL.
	Examiner	Art Unit	
	LaShonda T Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
> THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
>   after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
>   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
>   earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 January 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>January 9, 2001</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis

for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims **1-23** are rejected under 35 U.S.C. 102(e) as being anticipated by Mohaban et al

(hereinafter, "Mohaban", 6,718,380).

As per claims **1** and **9**, Mohaban discloses a method and computer-readable medium comprising:

- creating an enterprise policy object providing an enterprise-wide policy governing at least one

  of resource access and protocol use for a plurality of nodes within a networking environment

  organized within a plurality of arrays (abstract, col. 5, lines 62-67, col. 6, lines 1-13, col. 17,

  lines 29-39 and col. 19, lines 15-31);

- creating at least one array policy object, each array policy object providing an array-wide policy

  governing resource access for one or more of the plurality of nodes organized within a

  corresponding array (col. 19, lines 15-31 and col. 22, lines 50-64); and

- for each of one or more of the at least one array policy object, inheriting the enterprise-wide

  policy as the array-wide policy such that the array-wide policy of each array policy object is at

  least initially set to the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claims **10** and **14**, Mohaban discloses a method and computer-readable medium comprising:

- creating an enterprise policy object providing an enterprise-wide policy governing resource

  access for a plurality of nodes within a networking environment organized within a plurality of

arrays (abstract, col. 5, lines 62-67, col. 6, lines 1-13, col. 17, lines 29-39 and col. 19, lines 15-31);

- creating at least one array policy object, each array policy object providing an array-wide policy governing resource access for one or more of the plurality of nodes organized within a corresponding array (col. 19, lines 15-31 and col. 22, lines 50-64);

- for each array policy object, inheriting the enterprise-wide policy as the array-wide policy such that the array-wide policy of each array policy object is initially set to the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64); and

- for each of one or more of the at least one array policy object, adjusting the array-wide policy after the array-wide policy has inherited the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **2**, Mohaban discloses:

- wherein the enterprise-wide policy includes a plurality of enterprise rules, each enterprise rule governing at least one of access to a particular resource and use of a particular protocol, each enterprise rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use (col. 23, lines 54-67 and col. 24, lines 1-5).

As per claim **3**, Mohaban discloses:

- wherein each array-wide policy includes a plurality of array rules at least initially equal to the plurality of enterprise rules upon the enterprise-wide policy inherited as each array-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **5**, Mohaban further discloses:

- for each of one or more of the at least one array policy object, adjusting the array-wide policy after the array-wide policy has inherited the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **6**, Mohaban discloses:

- wherein the enterprise-wide policy includes a plurality of enterprise rules, each enterprise rule governing at least one of access to a particular resource and use of a particular protocol, each enterprise rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use ((col. 23, lines 54-67 and col. 24, lines 1-5); and

- each array-wide policy includes a plurality of array rules, the plurality of array rules at least initially equal to the plurality of enterprise rules upon the enterprise-wide policy inherited as each array-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **7**, Mohaban discloses:

- wherein adjusting the array-wide policy comprises adding one or more new array rules to the plurality of array rules, each of the new array rules having a negative rule type explicitly denying one of access to a particular resource and use of a particular protocol (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **8**, Mohaban further discloses:

- for a requested access via a requested protocol by a node organized within one of the plurality of arrays, applying the array-wide policy of the policy object corresponding to the one of the plurality of arrays to determine whether to allow the requested access via the requested protocol, such that the requested access via the requested protocol is allowed only where the requested access via the requested protocol is explicitly allowed by the plurality of rules and not explicitly denied by the plurality of rules (col. 12, lines 15-29 and lines 49-55);

- allowing the requested access via the requested protocol in response to determining that the requested access via the requested protocol is allowed (col. 13, lines 36-44); and

- denying the requested access via the requested protocol in response to determining that the requested access via the requested protocol is not allowed (col. 13, lines 36-44).

As per claim **11**, Mohaban discloses:

- wherein the enterprise-wide policy includes a plurality of enterprise rules, each enterprise rule governing at least one of access to a particular resource and use of a particular protocol, each enterprise rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use (col. 12, lines 15-29 and lines 49-55); and

- each array-wide policy includes a plurality of array rules, the plurality of array rules initially equal to the plurality of enterprise rules upon the enterprise-wide policy inherited as each array-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **12**, Mohaban discloses:

- wherein adjusting the array-wide policy comprises adding one or more new array rules to the plurality of array rules, each of the new array rules having the negative rule type (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claims **4** and **13**, Mohaban further discloses:

- for a requested access via a requested protocol by a node organized within one of the plurality of arrays applying the array-wide policy of the policy object corresponding to the one of the plurality of arrays to determine whether to allow the requested access via the requested protocol, such that the requested access via the requested protocol is allowed only where the requested access via the requested protocol is explicitly allowed by the plurality of rules and not explicitly denied by the plurality of rules (col. 12, lines 15-29 and lines 49-55);

- allowing the requested access via the requested protocol in response to determining that the requested access via the requested protocol is allowed (col. 13, lines 36-44); and

- denying the requested access via the requested protocol in response to determining that the requested access via the requested protocol is not allowed (col. 13, lines 36-44).

As per claim **15**, Mohaban discloses a system for governing resource access among a plurality of nodes within a networking environment, at least one or more of the plurality of nodes organized within a plurality of arrays, the system comprising:

- an enterprise-policy object providing an enterprise-wide policy governing resource access for nodes organized within at least one or more of the plurality of arrays (abstract, col. 5, lines 62-67, col. 6, lines 1-13, col. 17, lines 29-39 and col. 19, lines 15-31); and

- at least one array policy object, each array policy object providing an array-wide policy governing resource access for nodes organized within a corresponding array, one or more of the at least one array policy object inheriting the enterprise-wide policy as the array-wide policy such that the array-wide policy is at least initially set to the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **16**, Mohaban discloses:

- wherein the enterprise-wide policy includes a plurality of enterprise rules, each enterprise rule governing at least one of access to a particular resource and use of a particular protocol, each enterprise rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use (col. 12, lines 15-29 and lines 49-55).

As per claim **17**, Mohaban discloses:

- wherein the array-wide policy provided by each of the one or more of the at least one array policy object includes a plurality of array rules at least initially equal to the plurality of

enterprise rules upon the enterprise-wide policy inherited as each array-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **18**, Mohaban discloses:

- wherein the array-wide policy provided by each of the one or more of the at least one array policy object further includes one or more other array rules, each of the one or more other array rules having the negative rule type (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **19**, Mohaban discloses:

- wherein the array-wide policy provided by each of the at least one array policy object other than the one or more of the at least one array policy object inheriting the enterprise-wide policy does not inherit the enterprise-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **20**, Mohaban discloses:

- wherein the enterprise-wide policy includes a plurality of enterprise rules, each enterprise rule governing at least one of access to a particular resource and use of a particular protocol, each enterprise rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use (col. 12, lines 15-29 and lines 49-55);

- the array-wide policy provided by each of the one or more of the at least one array policy object includes a plurality of first array rules at least initially equal to the plurality of enterprise rules upon the enterprise-wide policy inherited as each array-wide policy (col. 19, lines 15-31 and col. 22, lines 50-64); and

- the array-wide policy provided by each of the at least one array policy object other than the one or more of the at least one array policy object inheriting the enterprise-wide policy includes a plurality of second array rules not initially equal to the plurality of enterprise rules, each second

array rule having a rule type selected from the positive rule type and the negative rule type (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **21**, Mohaban discloses:

- wherein the array-wide policy provided by each of the one or more of the at least one array policy object further includes one or more other first array rules, each of the one or more other first array rules having the negative rule type (col. 19, lines 15-31 and col. 22, lines 50-64).

As per claim **22**, Mohaban further discloses:

- at least one node policy object, each node policy object providing a node policy governing resource access for a corresponding node of the plurality of nodes other than the one or more of the plurality of nodes organized within the plurality of arrays (col. 23, lines 54-67 and col. 24, lines 1-5).

As per claim **23**, Mohaban discloses:

- wherein the node policy includes a plurality of node rules, each node rule governing at least one of access to a particular resource and use of a particular protocol, each node rule having a rule type selected from a positive rule type and a negative rule type, the positive rule type explicitly allowing at least one of access and use and the negative rule type explicitly denying at least one of access and use (col. 23, lines 54-67 and col. 24, lines 1-5).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,466,932 to Dennis et al

U.S. Pub. No. 2003/0023587 to Dennis et al

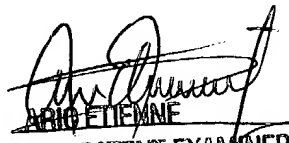U.S. Pub. No. 2002/0002684 to Fox et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
August 20, 2004

ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER